Remarks/Arguments:

Claims 1-23 are presently pending, with all pending claims rejected. Applicant herein amends claims 6 and 22. No new matter is added. Applicant respectfully requests reconsideration in view of the above amendments and the following remarks.

<div align="center">Claim Rejections Under 35 U.S.C. § 103</div>

Section 1 of the Office Action recites that "Claims 1-5, 7-12, 15-21, and 23 [are] rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard (U.S. Patent Publication 2002/0124266) in view of US 4,155,042 to Permut." Applicant respectfully traverses the rejection.

Claim 1 includes at least one feature that is not disclosed, taught, or suggested by Blanchard in view of Permut. Claim 1 is directed to a method for processing system messages including data and an electronic device having at least a full power mode and a lower power mode, the electronic device including device circuitry that is in a powered up state in the full power mode and in a powered down state or powered up state in the low power mode. The method includes the following steps:

> receiving at least one system message including data for processing by the electronic device while the electronic device is in the low power mode;
>
> generating a message available indicator responsive to the at least one system message;
>
> generating a process message signal responsive to at least one of (i) the message available indicator and (ii) the data of the at least one system message;
>
> transitioning the device circuitry within the electronic device from the powered down state to the powered up state while remaining in the low power mode responsive to the process message signal; and
>
> processing the data of the at least one system message using the device circuitry in the powered up state while in the low power mode.

As stated in applicant's previous response, applicant's exemplary embodiment includes message circuitry 202, interface circuitry 204 and device circuitry 206. Applicant's exemplary embodiments also include a full power mode and a low power mode. In the full power mode, the device circuitry 206 is in a powered up state. In the low power mode, however, the device circuitry may transition from the powered down state to the powered up state while

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up state while remaining in the low power mode. That is, the electronic device operates in three states: (1) full power mode-powered up state, (2) low power mode-powered up state, and (3) low power mode-powered down state. Data is processed by device circuitry 206 during the powered up state (states (1) (2)). The powered up state refers to states when one or more components of the device circuitry are in a processing state capable of processing the system messages (para. [0020]). The full power mode refers to power of the electronic device 104, and not just the processing capability of the device circuitry 206 (para. [0021]). These features are advantageous over the applied references because power is conserved when the messages are processed in the low power mode-powered up state.

As further stated in applicant's previous response, Blanchard by contrast discloses only two states, which include an active mode and a standby mode (para. [0023]). During the active mode, main power supply 230 provides power to main circuitry 240 and receiving element 210 (para. [0025]). During the standby mode, main power supply 230 provides power only to receiving element 210 (para. [0026] and [0034]). Upon receiving an activation signal, the set top box may switch from active mode to standby mode (para. [0028] and [0035]). Thus, Blanchard does not disclose or suggest "...transitioning the device circuitry within the electronic device from the powered down state to the powered up state while remaining in the low power mode responsive to the process message signal," as recited in claim 1.

The Office Action acknowledges that Blanchard fails to teach a powered up state in low power mode and processing messages in the powered up state while in the low power mode. Instead, the Office Action relies on Permut to disclose this feature. Similar to Blanchard, however, Permut also discloses a system that has only two states. In Permut a decoder is continuously powered by a low power output of a power supply. The device itself, however, transitions to full power mode upon the detection of a signal.

The portion of Permut relied upon by the Examiner discloses a battery power supply having a low power output and a high power output. The low power output powers a decoder and an RF receiver. The high power output is coupled to a power switch that is controlled by the decoder. When the decoder identifies a message, it switches the power switch providing the high power output to all the components within the receiver. Thus, Permut does not disclose a powered up state in low power mode and processing message in the powered up state while in the low power mode. Rather, in Permut, the system changes from a low power

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from a low power mode to a high power mode when the message is received.

Accordingly, Blanchard and Permut each fail to disclose a powered up state in low power mode and processing messages in the powered up state while in the low power mode. Thus, Blanchard and Permut neither alone or in combination, disclose the step of "...transitioning a device circuitry within the electronic device from the powered down state to the powered up state while remaining in the low power mode responsive to the process message signal; and processing the data of the at least one system messages using device circuitry in the powered up state while in the low power mode." Accordingly, applicant contends that claim 1 is allowable over Blanchard in view of Permut and respectfully requests that the rejection of this claim be withdrawn.

Regarding claims 8 and 17, these claims, while not identical to claim 1, include features similar to those discussed above with respect to claim 1. Thus, claims 8 and 17 are also not subject to rejection for at least the same reasons as set forth above with regard to claim 1.

Claims 2-5, 7, 9-12, 15, 16, 18-21, and 23 each depend from one of claims 1, 8, and 17. Accordingly, these claims are allowable over Blanchard in view of Permut for at least the reason their respective base claim is allowable over these references. Accordingly, applicant respectfully requests withdrawal of the rejection of these claims.

Page 6 of the Office Action recites that "Claims 6, 13-14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard and Permut as applied to claim 1 above, and further in view of Jerding et al. U.S. Patent Publication 2005/0172326." Blanchard and Permut are described above. Jerding et al. does not disclose any power modes or states within power modes. Thus, Jerding et al. also does not disclose "...transitioning a device circuitry within the electronic device from the powered down state to the powered up state while remaining in the low power mode responsive to the process message signal," as recited in claim 1, and similarly recited in claims 8 and 17. Claim 6 depends from claim 1, claims 13 and 14 depend from claim 8, and claim 22 depends from claim 17. Accordingly, claims 13-14, and 22 are also not subject to rejection under 35 U.S.C. § 103(a) in view of Blanchard, Permut, and Jerding et al.

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While not conceding the rejection, applicant herein amends claims 6 and 22 to recite the step of and means for, respectively, of "storing system messages including data having a second priority level for processing when the electronic device enters the full power mode."

With respect to claim 6, the Office Action recites "Jerding discloses a system and method for 'identifying a priority level for the data of each of the at least one system messages; and generating the process message signal responsive to system message data having a first priority level; wherein system messages including data having a second priority level are stored for processing when the electronic device enters the full power mode (page 1, paragraph [0008], lines 1-7 and page 7, paragraph [0060], lines 1-7).'" Applicant respectfully disagrees. Lines 1-7 of paragraph [0008] recite:

> Briefly described, the preferred embodiment of the present invention provides a system and method for managing memory in a DHCT coupled via a communication port to a server device by enabling the DHCT to prioritize application access to memory and to further handle out-of-memory situations while executing on the DHCT a plurality of applications downloaded from the server device.

In addition, lines 1-7 of paragraph [0060] of Jerding et al. recite:

> When the memory manager 47 reaches step 114 and must remove data from the DHCT 16, the memory manager 47 begins with applications or data contained in DRAM 32 with the lowest priority. The memory manager 47 removes the application of data with the lowest priority from DRAM 32 thereby creating new memory capacity for storing the application to be downloaded from the headend 11.

These paragraphs are entirely devoid of any disclosure, teaching, or suggestion of storing system messages including data having a second priority level for processing when the electronic device enters the full power mode. Accordingly, these references fail to disclose, teach, or suggest the features of claim 6.

Claims 14 and 22, while not identical to claim 6, include features similar to the features of claim 6 discussed above. Accordingly, applicant contends that claims 14 and 22 are allowable for at least the reasons discussed above that claim 6 is allowable.
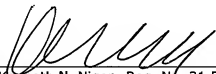
Regarding claim 13, this claim is directed to the interface circuitry of an apparatus for processing system messages. Claim 13 recites that the circuitry includes a memory

configured to store at least a portion of the least one system message; and a processor coupled to the memory, the processor configured to generate the process message signal responsive to a predefined portion of the memory being filled by the at least one system message. The Office Action recites on page 7 that "Jerding discloses a system comprising of a memory configured to store at least a portion of the at least one system message; and a processor coupled to the memory, the processor configured to generate the process message signal responsive to a predefined portion of the memory being filled by the at least one system message" referring to Figure 2 and elements 24 and 29. Applicant respectfully disagrees. Although Figure 2 of Jerding does disclose a processor 24 and memory 29, Jerding is devoid of a processor configured to generate the process message signal responsive to a predefined portion of the memory being filled by the at least one system message as called for by claim 13. Accordingly, applicant contends that claim 13 is allowable and respectfully requests that the rejection of this claim be withdrawn.

In view of the above amendments and remarks, applicant contends that this application is in condition for allowance. Notification to the effect is earnestly solicited.

Respectfully submitted,

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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

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